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# Joint written statement* submitted by the International Catholic Child Bureau, Company of the Daughters of Charity of St. Vincent de Paul, Congregation of Our Lady of Charity of the Good Shepherd, Edmund Rice International Limited, International Volunteerism Organization for Women, Education and Development - VIDES, Istituto Internazionale Maria Ausiliatrice delle Salesiane di Don Bosco, World Union of Catholic Women's Organizations, non-governmental organizations in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[31 August 2015]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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# Cambodia: a call for immediate action to tackle child sexual abuse*

## Child Sexual Abuse

### *Rape of minors*

1. About 40% of the Cambodian population is under the age of 18[1]. According to a 2014 UNICEF study, roughly 25% of children in Cambodia are emotionally abused while growing up, and nearly 3 in 10 females and males aged 13 to 17, experienced emotional violence by a parent, caregiver or another adult relative prior to age 18. The study revealed that rates of childhood sexual abuse are significant: 4.4% of females and 5.6% of males aged 18 to 24 experienced some forms of sexual abuse prior to age 18, and more than 6% of females and 5% of males aged 13 to 17 reported at least one experience of sexual abuse. The report mentioned that "more than 7 in 10 females and nearly 9 in 10 males aged 18 to 24 who experienced sexual abuse faced multiple incidents prior to age 18" and "26.3% females and 10.4% males from 13 to 17 are victim of sexual abuse at school"[2].

2. Several recommendations of the Universal Periodic Review mechanism recall the persistent and increasing sexual abuse phenomenon in the country[3], alongside with the concluding observations of the Committee on the Rights of the Child and the Committee on the Elimination of Discrimination against Women, which highlighted the impact of sexual violence on children[4].

### *The Sex Tourism Phenomenon*

3. Tourism is a flourishing economic activity in Cambodia with more than 2 million tourists per year. It represents the first source of income for the country. Notwithstanding, sex tourism and pedophilia have become a scourge during the last decades. Tourists from foreign countries, expatriates settled in Cambodia and Cambodian citizens take advantage of children working as souvenirs sellers, children deprived of family protection or without alternative care, to abuse them. These children have migrated to cities and tourists centers, including Phnom-Penh, Krong Kaeb, Kampot, Shianoukville, Kaoh Kong and Siem Reap, Angkor temple and archaeological park, to work in order to support themselves and their families.

## Access to Justice for Sexually Abused Victims

### *Corruption and Impunity*

4. The high level of corruption in the police and the justice system discourages victims and their families to issue complaints for child abuse cases. It allows for mediation and perpetrators do not face appropriate sanctions that can dissuade them from further abuses. Therefore, impunity deprives victims from due remedy and redress as well as from benefitting from counseling, care and reintegration programs to regain self-esteem.

### *High cost of medical certificates*

5. Despite the free-of-charge medical certificate policy, the few complaints filed were confronted to the excessive cost of medical examinations which victims cannot afford very often.

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[1] UNDESA, World Population Prospects: The 2012 Revision, CD-ROM Edition. 2013 United Nations, Department of Economic and Social Affairs, Population Division.

[2] Findings from Cambodia's Violence Against Children Survey 2013, October 2014.

[3] A/HRC/26/16 (2014), § 118.62: Take all the measures to prevent and combat violence and sexual abuse against women and children, including rape, by promoting an effective mechanism to receive and investigate complaints of sexual violence and offering the victims psychological and medical assistance(Uruguay); § 118.63: Deploy further efforts in order to prevent and punish violence, including rape, against women and children and pay special attention to the most vulnerable families living in a poor environment(Italy); § 118.72: Combat the issues of rape and prostitution of minors by ensuring the full implementation of the laws criminalizing sexual abuse and exploitation(Belgium).

[4] CRC/C/KHM/CO/2 (2011), § 71; CEDAW/C/KHM/CO/4-5 (2013), §§ 20-21.

***Lack of Victim Rehabilitation Centers***

6. The inadequacy and insufficiency of legal, medical and psycho-social services are source of concern. Victims' support and care facilities exist mainly in the capital city Phnom-Penh and are generally managed by civil society organizations[5], including *Opération Enfants du Cambodge (OEC)* through the « Smiling Cambodian Children » project that provides assistance, education, care and counseling to sexual abuse victims in Sihanoukville[6]. Although helpline services are provided, victims and their relatives barely use them for multiple reasons: i) lack of information about the helpline; ii) discouragement from unfortunate experiences of victims who were disappointed by the service; iii) "protection" of the victim from fear and reprisals in the community. Hence, 9 in 10 females and males from 13 to 17 victims have never revealed they have been sexually abused.

**7. Recommendations**

- **(a)Fully implement child sexual abuse related national legislations and address sexual abuse root-causes, including poverty, corruption, inadequate housing and loneliness.**

- **(b)Establish cooperation mechanisms between the tourism industry and the authorities of tourists' countries of origin through judicial cooperation agreements in order to prevent abuses upstream through awareness raising and self-regulatory initiatives of tourism, internet and social media actors, and protect children by dissuasive legal procedures.**

- **(c)Discourage in child sexual abuse cases mediations that favor impunity, and, *inter alia*, facilitate criminal proceedings against perpetrators, whilst fighting corruption in the police, as well as easing and speeding judicial proceedings for victims, including the establishment of listening facilities, effective free medical certificates, access to legal aid, victim protection mechanisms against reprisals from perpetrators, and implementation of rehabilitation, counseling and social reintegration programs.**

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[5] Here are some Victim Rehabilitation Centers: 1. AFESIP Cambodia (Agir pour les Femmes en Situation Précaire) owns three Rehabilitation and Vocational Skills Training Centers to accommodate and rehabilitate survivors of trafficking, sexual exploitation, rape and domestic violence. The centers aim at protecting vulnerable women and children and are located in Phnom Penh, Siem Reap, and Kompong Cham provinces; 2. Cambodian Center for the Protection of Children's Rights (មជ្ឈមណ្ឌលកម្ពុជាដើម្បីការពារសិទ្ធិកុមារ) located in Phnom Penh City ensures the effective provision of quality services to rehabilitate/recover children and young people who are victim of trafficking, sexual abuse and exploitation, as well as vulnerable children in targeted areas; 3. Transcultural Psychological Organization (TPO) (កម្មវិធីសុខភាពផ្លូវចិត្ត), a leading Cambodian NGO in the field of mental health, care and psychosocial support has offices in Phnom Penh, Battambang, Siem Reap, Chi Kraeng, Kampong Thom, Kampong Cham and Tboung Khmum; 4. Komar Rikreay Association Center (កុមារកែវាយ) based in Group 27, Chamkar Sam Rong Village, Sangkat Chamkar Sam Rong, Battambang supports disadvantaged children and young people who are in need of special protection from trafficking networks and the streets. It provides a centre and an outreach program to satisfy their basic needs and to rehabilitate and orientate them back into the community through adapted social services; 5. Damnok Toek (DTP) (ដំណាក់ទឹក) located in Phnom Penh and at the border with Thailand, DTP runs activities at Wat Thmey, Samarkum and Neak Loueng. DTP works on i) prevention of child-abuse, substance abuse and child trafficking, integration of neglected children and street-children into Khmer society through informal education (day-care centre and vocational training) and formal education (public school); ii) rehabilitation of underage substance abusers and traumatized children and reintegration of trafficked and run-away children into their communities, their villages and, if possible, their families of origin; 6. Kumar Ney Kdey Sangkheum (KNKS) (អង្គការកុមារ នៃក្តីសង្ឃឹម) based in Pursat and Battambang Provinces, runs activities with vulnerable children to improve their overall well-being by providing vocational and life skills training, health education, literacy workshops, and a safe haven for victims of child labor, child trafficking, rape, drug abuse, and domestic violence; 7. Rose Cambodia Rehabilitation Centre (RCRC) (អង្គការប្រតិបត្តិការស្តារលទ្ធភាពពលកម្មកម្ពុជា) works in conjunction with the Chey Chumneas Referral Hospital in Takh Mao and the Cambodian Ministry of Health to deliver safe, equitable, high quality physiotherapy services to Cambodian communities. RCRC provides physical rehabilitation services for members of local communities. These services complement surgical procedures, as well as non-surgical physical rehabilitation.

[6] *Opération Enfants du Cambodge* works with 15 organizations, including the Commune Committee for Women and Children (CCWC), the Cambodian League for the Promotion and Defense of Human Rights (LICADHO), the Cambodian Human Rights and Development Association (ADHOC) to strengthen the capacity of ordinary citizens, Legal Aid of Cambodia (LAC) which focuses primarily on education, legal representation and advocacy, Action Pour les Enfants (APLE) and the Sihanoukville NGOs Advocacy Network (SNAN).

- **(d)Commit decentralized services of the Cambodian National Council for Children in the provinces and municipalities of the country to implement, manage and evaluate psychological and rehabilitation centers for the reintegration of sexual abuse victims in cooperation with districts, communes and villages.**

**Access to Education as a Tool to Fight Violence against Children**

8. In Cambodia, the attrition rate between primary and secondary schools, especially for girls is quite high. Many factors such as extreme poverty, discrimination based on parents' social status or place of residence, late school enrollment or early pregnancy, the lack of support to families, pushed children to drop-out from school. The government is responsible because school infrastructures are not available in remote and rural areas, including secondary level facilities. Hence, children are compelled to migrate towards urban centers or drop out from school if parents cannot afford the migration costs. Most of drop-out students are the victims of sexual abuse and exploitation.

9. In the Sihanoukville region, BICE and its partner organization *Opération Enfants du Cambodge (OEC)* opened informal schools that accommodate per year more than 2.000 marginalized children, children at risk or victim of abuse, isolated children or children who dropped out from school in the districts of Prey Nup and Kampong Seila. In addition, day-care child-friendly centers are spaces for listening and playing, leisure activities, educational therapies and self-esteem development for children in Koh Thmei, Ma Ou and Kilo11 villages. Furthermore, positive parenting workshops are organized for parents, the Commune Committee for Women and Children (CCWC) in order to strengthen their capacities on child rights and the importance of the education of children as well as the necessity to protect them against violence, including sexual abuse and neglect. Consequently, denunciations of child ill-treatment are increasing and behavior change is emerging in the community. Through parents' associations which aim *inter alia* at recognizing all children of the community as rights holders, child participation in decisions that may be relevant to their lives, children and families capacity building, prevention and protection of children against abuse, community mobilization have gone beyond sensitization for girls' and boys' education. Yet, it covers the promotion and the protection of child rights including their access to justice when they are victims of violence.

10. To strengthen child participation, Child Clubs have been created to develop the personality of children, their physical and mental abilities and to provide them with training on prevention and protection against all forms of discrimination, violence and exploitation based on a child-friendly approach and on the Convention on the Rights of the Child.

**11. Recommendation:**

- **Implement the curriculum for human rights education through pedagogical techniques, so as to enable teachers to effectively integrate Child Rights in daily lessons[7].**

**Role of the High Commissioner for Human Rights and the Human Rights Mechanisms in Cambodia**

12. Significant legal and institutional reforms are needed for Cambodia to comply with the rule of law criteria, as it has been highlighted in the UN Secretary-General reports[8], several UN Human Rights Council resolutions[9] and reports of Special Rapporteurs on the human rights situation in Cambodia[10], as well as other monitoring mechanisms, including the Universal Periodic Review outcomes. Given the magnitude of the human rights challenges, especially in the area of the rights of the child, it is clear that the Office of the High Commissioner for Human Rights' endeavors alone cannot alleviate this situation, even if technical assistance and field-capacity building remain relevant and indispensable. Therefore:

[7] Beneficiaries should include teachers from primary and secondary school trained in the framework of the Human Rights Teaching Methodology (HRTM) program of the Cambodian Human Rights Institute (CHRI), according to the Third Phase (2015-2019) of the World Program for Human Rights Education and its Plan of Action (A/HRC/27/28).
[8] A/HRC/4/95, A/HRC/12/41, A/HRC/15/47, A/HRC/21/35 and A/HRC/24/32.
[9] A/HRC/RES/24/29.
[10] A/HRC/15/46, A/HRC/18/46, A/HRC/21/63, A/HRC/24/36 and A/HRC/27/70.

- **(a) an institutional alliance between different UN specialized agencies and funds, including UNICEF, UNESCO and UNODC is required with long-term targeted complementary programs on the protection of the rights of the child, access to education, especially in remote and rural areas, the fight against violence on children, including sexual abuse and exploitation, alongside strong participation of communities.**

- **(b) joint investigation and technical guidance missions from various special procedure mandate holders[11], with a view to providing comprehensive reports to the Council and to obtaining tangible improvements on the ground, are vital.**

- **(c) OHCHR and other UN institutions' efforts should also contribute to map out paths towards the effective realization of the upcoming Post-2015 Sustainable Development Goals (SDGs). Hence, their technical guidance should focus on the development of legislative reforms, national strategic plans and policies as drive forces and milestones for the implementation of the SDGs.**

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*Opération Enfants du Cambodge (OEC), NGO without consultative status, also shares the views expressed in this statement.

[11] Special Representative of the Secretary-General on violence and against children, the Special Rapporteur on the sale of children, child prostitution and child pornography, the Special Rapporteur on trafficking in persons, especially woman and children, the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, the Special Rapporteur on extreme poverty and human rights, the Special Rapporteur on the right to food, the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context.